

Neighborhood and Historic Preservation

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New York is known throughout the world for its great office and financial center, its concentration of tall buildings, and its apparently limitless ability to build and demolish and rebuild itself in ever more modern forms. New Yorkers themselves also know a more complex city: one composed of dozens upon dozens of communities, built to different physical scales, in different architectural styles, erected in various periods over the past three centuries.

In recent years, New Yorkers have increasingly come to value the special qualities of its diverse neighborhoods. A neighborhood's unique physical character provides its residents with the sense of living within a particular, identifiable place, thus fostering a sense of belonging. As survivors of past eras, older buildings and streetscapes enforce a connection with history and serve an educational role as valuable as any museum. Often, the lower scale and density, and the quiet that this often engenders, provide a sense of respite from the contemporary city. Whether established neighborhoods like Brooklyn Heights or rediscovered enclaves like Soho, historic neighborhoods contribute greatly to the quality of life in New York.

Neighborhood and historic preservation has clear economic value as well. Business location decisions depend greatly on a city's quality of life, as well as on tax rates, cost of space, and other purely economic criteria. Also, tourism has been one of New York's major growth indus-

tries in recent years, and people visit a city not just to stay at a glitzy new hotel but to admire its architecture and roam its neighborhoods.

Historic preservation has come to be accepted as a major public policy goal. On April 6, 1965, the city enacted the Landmarks Preservation Law and created the Landmarks Preservation Commission, empowered to designate both individual landmarks and historic districts, judge the appropriateness of proposed alterations to existing buildings and proposed new construction within historic districts, and prohibit inappropriate alterations, construction, or demolition. In the 25 ensuing years, the Board of Estimate has approved LPC designation of over 800 individual landmarks and more than 50 historic districts, and proposed district designations generally receive widespread community support. Proposals to weaken the law have been quietly tabled in the face of public outcries. In addition to that seminal legislation, environmental laws and regulations adopted in the 1970s reflect the importance of historic preservation goals. State and city environmental reviews must assess a proposed action's likely impact on historic resources and neighborhood character.

The successes of the historic preservation movement have coincided with advances in neighborhood preservation. In the 1960s community-based groups blocked such potential government actions as Robert Moses' proposed cross-Manhattan expressways, one of which would have bulldozed much of Soho and Little Italy. More recently, several communities have advanced neighborhood plans, under theegis of Section 197-a of the city charter. The city itself has enacted special zoning districts to preserve the built form, street life, and economic vitality of particular neighborhoods or thoroughfares.

Yet, in spite of the recognized importance of historic and neighborhood preservation, New York's neighborhoods and historic districts continue to be threatened. The good news is that the threats usually do not involve the demolition of valued buildings; the bad news is that inappropriate new construction has proven almost as

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This article is an excerpt from a study completed in July 1990, titled "Zoning and Historic Districts." Conducted by the New York City-based consulting firm, Abeles Phillips Preiss & Shapiro, Inc., the study was commissioned by the Municipal Art Society's Planning Center as a follow-up to an earlier study's recommendations on making zoning policy in New York consistent with historic district designations. The portion of the study reproduced here, with permission from the authors, provides an overview of the conflicts between zoning requirements and historic preservation goals in several of the city's historic neighborhoods. Specifically, it outlines the ways in which the current zoning encourages new development that is out of scale and out of character with the existing building stock and streetscape. As the study points out, the problem is not merely a matter of too much density, but also of lot coverage and setback requirements as well as bonuses for open space.

There has been much discussion in recent years about the need to integrate historic preservation and land use and community planning—indeed, it was one of the major recommendations of the National Trust's 45th National Preservation Conference in San Francisco in October 1991. This study is an example of how such integration should be approached. Its analysis and recommendations apply not only to large cities such as New York but also to mid-sized and smaller cities. Now, when development pressure has temporarily receded in most parts of the country, is the right time for preservation advocates to think about these issues in their own communities.

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damaging to the built environment. Within historic districts, new construction cannot proceed unless the LPC determines that the new building would be “appropriate.” Outside of the district boundaries, or in historic or architecturally distinctive neighborhoods that have not been designated, no such protection exists. Furthermore, in many cases, such as in Carroll Gardens and Park Slope, historic district designation applies only to a portion of a larger neighborhood whose architecture may not be as fine or as well preserved, but that shares the same general building type. In other cases, transition zones are needed to prevent excessive contrasts in scale. To preserve a small district and to rebuild the surrounding blocks in the latest fashion, or to eschew a proper transition and overwhelm a district’s buildings, is to transform the historic district into a museum artifact. Landmark preservation in the narrowest sense does triumph, but the goals of neighborhood preservation and historic preservation in the true sense are lost.

Some of the more striking examples of out-of-scale buildings near historic districts are well known: the Citicorp back office tower near the Hunters Point Historic District, Madison Green across from Ladies’ Mile, the apartment building at Madison Avenue and 85th Street just outside the Metropolitan Museum Historic District. Sometimes these anomalies reflect competing and overriding planning values, such as extending central business district functions and employment opportunities to other boroughs. In other cases, the juxtaposition of low-rise and high-rise enclaves, of old and new building, can create an exciting contrast, and the historic district becomes more valuable through its role as an unexpected oasis. In too many cases, however, the newer, bulkier development diminishes the strong sense of the past, the neighborhood identity, and the sense of separateness that help make the district so important.

The key is zoning. The city’s Zoning Resolution regulates permissible building uses, maximum permissible bulk (or floor area), and the envelope in which that bulk must fit. Zoning that is inappropriate for a particular location will either stymie all development or lead to development that is out of scale or out of character. Appropriate zoning cannot guarantee good architecture, but it can prevent egregious mismatches between new buildings and their neighbors. The simplest, most familiar aspect of the problem involves scale. If the zoning allows an excessive floor area ratio (FAR), too much floor area will be built, and development will be too tall or too bulky. To map a district with a maximum FAR of 12.0 across the street from a district of 3- and 4-story row-houses is to guarantee that new development will tower over the smaller structures, as Pierrepont Plaza does over Brooklyn Heights. Similarly, because the same zone has been mapped over a full block site *within* the South Street Seaport Historic District, across a 50’-wide street from a blockfront of 4-story early 19th century commercial buildings, the LPC has evaluated and rejected a series of development schemes for the site; quite simply, the zoning allows more bulk that can be squeezed into any design that the LPC would be likely to deem appropriate for the site. Furthermore, overly generous FARs drive up the value of properties within the district and

thus may make it harder for the property owner to earn a reasonable return from the existing low density structure; this process increases the likelihood that demolition requests based on hardship will be brought.

Another aspect of the problem involves the envelope into which the bulk is fit: height, lot coverage, the building’s position on the lot, its relationship to the street, facade setbacks, and so on. A 6.0 FAR can translate into an 8-story building covering the front 3/4 of the lot or an 18-story building occupying 1/3 of the lot, set back behind an open plaza. Zoning can encourage or even require one or the other—through height limitations, streetwall requirements, plaza bonuses, open space requirements, or maximum lot coverage provisions. These “height and setback,” or envelope, controls are as important as floor area density in molding the physical character of a streetscape. Their ability to shape a given amount of floor area into either an 8- or an 18-story building means that building height and **apparent** scale depend as much on these controls as on floor area ratios. Beyond that, physical character depends equally on such considerations as whether the buildings abut each other in a continuous row or are surrounded by side yards, plazas, or parking lots; whether they align or set back varying distances from the streetline; whether the facades rise vertically or slope or step backwards; the presence or absence of front yards; and so forth.

The distinction between bulk and density regulations, which limit the amount of floor area that can be built on a lot, and envelope regulations, which dictate or encourage particular building forms, means that an array of different zoning will generate new buildings that are in harmony with their neighbors. It does not depend on density alone. For example, the Mott Haven Historic District in the Bronx and the larger Mott Haven community contain turn-of-the-century 5-story tenement buildings covering approximately 70% of their lots. This works out to a FAR of 3.5, which is higher than current zoning allows. Yet, current zoning (R6) was designed to accommodate the far more massive 20-story tower-in-the-park residential complexes constructed in the area during the 1960s. These monoliths loom over the historic district, rising four times as high as the older buildings; they are set back from the sidewalk, are not oriented to the street, and do not define a streetwall; they dissolve the 19th-century streetscape that unifies the historic district. Nonetheless, the low-coverage high-rise complexes have less floor area per block than the older tenement buildings; they are built to a FAR of 2.4.

The zones established when the current Zoning Resolution was drafted in 1961 discourage the relatively low scale, high-coverage buildings, aligned in rows to create uniform streetwalls, that characterize many older neighborhoods. Instead, they encourage taller buildings surrounded by open space. In commercial zones and the highest density residential districts, this is done through plaza bonuses, so that a developer can increase FAR by up to 20% by devoting part of the lot to open space. In certain residential zones this is done through a sliding FAR scale, so that FAR varies along with open space and building height; a developer maximizes floor area by erecting a building 13 to 20 stories tall, covering from 1/5 to 1/3 of the lot, depending on the particular zoning district. The height factors that maximize density in a given

zoning district did not reflect the actual building heights prevailing in the neighborhoods in which that district was mapped, leading to the construction of 20-story buildings in neighborhoods of 5-story buildings. The open space requirements, which effectively restrict construction to a small percentage of the lot, often mean that developers must assemble larger parcels if they are to achieve realistic development footprints. Developers are thus encouraged to accumulate, clear, and combine several adjacent lots rather than build on a single lot and preserve the neighboring structures.

Clearly, historic district designation alone is not sufficient; reforms are also needed: to adopt zoning regulations that ensure that new development is in a form sympathetic to the existing built form of historically or architecturally significant areas, and to adopt land use review procedures that guard against harm to neighborhood character or architectural resources.

Specifically, within the districts themselves, reforms are needed (1) to achieve the greatest possible consistency between the different aspects of the city's land use regulations (i.e., zoning and historic district designations); (2) to allow appropriate development as of right, avoiding the time and expense that the special permit process entails; (3) to force all development proposals to fit into a sympathetic zoning envelope, thus using zoning regulations to mold the designs submitted to the LPC for review; and (4) to provide property owners and their architects with the clearest and most consistent possible guidance.

The areas outside of the districts have not been deemed to have the same historical or architectural significance. Yet, the blocks surrounding historic districts often contain similar building types and are often equally significant to neighborhood identity, and transition zones are often needed to preserve the character of the districts themselves and to prevent glaringly inappropriate juxtapositions. State enabling legislation recognizes these situations and empowers municipalities to apply historic district regulations to development beyond the district boundaries. Unfortunately, New York City's landmarks law provides no such mandate.

In the areas adjacent to historic districts, reforms are needed (1) to establish a mechanism for determining where continuation of a historic district's built form is appropriate, and where buffer or transition zones are needed; (2) where deemed appropriate, to adopt zoning that mandates a built form roughly similar to, or at least sympathetic to, that within the historic district; (3) to channel development in such a way, where possible, that excessive bulk is directed away from the edges of low density historic districts; and (4) to provide the LPC with an appropriate voice regarding zoning and development proposals adjacent to historic districts.

The challenge for the 1990s—as the city enters the second quarter century of landmarks preservation—is to manage historic resources within the context of an ever-changing city; to permit but reasonably regulate change. The purpose of zoning is not to discourage development, but to channel it into proper forms or proper locations. The goal is to ensure that when new construction inevitably occurs, either within or near historic district boundaries, it will be appropriate to its surroundings. Development should occur within and near historic dis-

tricts, but it can and should be in a form that will not adversely affect those districts, which serve such vital functions: enhancing tourism, improving the quality of life, and generally enriching the city.

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